

Introduction

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The Delta Protection Act of 1992 (Act) established the Delta Protection Commission, a State entity to plan for and guide the conservation and enhancement of the natural resources of the Delta, while sustaining agriculture and meeting increased recreational demand. The Act defines a Primary Zone, which comprises the principal jurisdiction of the Delta Protection Commission. The Secondary Zone is the area outside the Primary Zone and within the "Legal Delta"; the Secondary Zone is not within the planning area of the Delta Protection Commission. The Act requires the Commission to prepare and adopt a Land Use and Resource Management Plan for the Primary Zone of the Delta, which must meet specific goals. This document constitutes the Land Use and Resource Management Plan for the Primary Zone of the Delta (Plan), as adopted in 1995 and will be updated in 2010.

The Act (Public Resources Code Section 29760 et. seq.) requires the Commission to prepare and adopt and thereafter review and maintain a comprehensive long-term Resource Management Plan for land uses within the Primary Zone of the Delta ("Resource Management Plan"). The Resource Management Plan is to set forth a description of the needs and goals for the Delta and a statement of the policies, standards, and elements of the Resource Management Plan. Within 180 days of the adoption of the Resource Management Plan or any amendments by the Commission, all local governments, as defined in Public Resources Code Section 29725, shall submit to the Commission proposed amendments to their general plans. The amendments shall cause the general plans to be consistent with the criteria in Public Resources Code Section 29763.5 with respect to land located within the Primary Zone. Those criteria include a requirement that the general plan be consistent with the Resource Management Plan (Plan). This introduction and the following policies of the Plan constitute the regulatory portion of the Plan.

The Primary Zone of the Sacramento-San Joaquin Delta (Delta) includes approximately 500,000 acres of waterways, levees and farmed lands extending over portions of five counties: Solano, Yolo, Sacramento, San Joaquin and Contra Costa. The rich peat soil in the central Delta and the mineral soils in the higher elevations support a strong agricultural economy. The Delta lands currently have access to the 1,000 miles of rivers and sloughs lacing the region. These waterways provide habitat for many aquatic species and the uplands provide year-round and seasonal habitat for amphibians, reptiles, mammals, and birds, including several rare and endangered species. The area is extremely popular for many types of recreation including fishing, boating, hunting, wildlife viewing, water-skiing, swimming, hiking, and biking.

The goals of the Plan, as set out in the Act, are to "protect, maintain, and where possible, enhance and restore the overall quality of the Delta environment, including but not limited to agriculture, wildlife habitat, and recreational activities; assure orderly, balanced conservation and development of Delta land resources and improve flood protection by structural and nonstructural means to ensure an increased level of public health and safety."

As specified in the Act, the Delta Protection Commission is not authorized to exercise any jurisdiction over matters within the jurisdiction of, or to carry out its powers and duties in conflict with, the powers and duties of any other State agency. The Plan also provides guidance to State agencies undertaking activities in the Primary Zone. The Plan, therefore, applies to

development subject to approval by the Delta counties (Contra Costa, Sacramento, San Joaquin, Yolo and Solano). Should Cities propose to expand into the Delta Primary Zone, or acquire land in the Primary Zone for utility or infrastructure facility development, those actions are to be carried out in conformity with the Delta Protection Act of 1992.

The Plan consists of three sections. Part I, the Introduction, describes the planning program and the Plan objectives. Part II includes the Plan's individual elements. Part III describes the program for implementing the Plan. A map that shows the boundary of the Primary and Secondary Zones of the Delta is attached.

This Plan will be updated in 2010 following a collaborative planning process. The Delta Protection Commission established a Planning Advisory Committee (Committee) that began meeting in September 2008 which represented a broad spectrum of Delta interests. The Committee met and prepared a Draft Plan in December 2008. The Draft Plan was presented at public workshops throughout the Delta in order to receive input from the public and integrate the public's comments into the Draft Plan. The Draft Plan was presented to the Delta Protection Commission in March 2009 and the Commission held subsequent meetings to consider any updates to the Plan.

A wide variety of reference materials were used in the preparation of this Plan. The primary reference materials used to prepare the introductory sections of the individual elements included the following: *Status and Trends of Delta-Suisun Services* prepared by URS Corporation for the California Department of Water Resources, May 2007; *CALFED Bay-Delta Program Programmatic Record of Decision* August 28, 2000; *Delta Protection Commission Land Use and Resource Management Plan for the Primary Zone of the Delta Update 2008 - Profiles of Ongoing Planning Processes and Planning Documents for Consideration* prepared by the Delta Protection Commission staff, July 24, 2008; *Our Vision for the California Delta* prepared by the Governor's Delta Vision Blue Ribbon Task Force, January 29, 2008 (Second Printing); and the *Delta Vision Strategic Plan* prepared by the Governor's Delta Vision Blue Ribbon Task Force, October 2008.

Each element includes an introductory discussion that provides the context for the element's goals and policies. The introductory discussions provide the framework from which the goals and policies of the individual elements are derived. Policies are the directions for action the local governments must embrace and support through amendments to local General Plans, if necessary. It is important to note, however, that in the implementation of both the goals and policies of this Plan, the Act specifically prohibits the exercise of the power of eminent domain unless requested by the landowner.

The Commission will be required to take into consideration projected climate change effects in their implementation of this Land Use and Resource Management Plan. Many of the assets of the Delta are at risk from climate change. In 2006, the California Climate Change Center published a report that stated a historical rise in sea level of 7 inches and projected an additional rise of 22 to 35 inches by the end of the century. Since that time numerous other studies have published projected ranges of 7 to 23 inches (*The International Panel on Climate Change, 4th Assessment on Climate Change*, 2007), 20 to 55 inches (Rahmstorf, *Science*, 2007), and 32 to 79 inches

(Pfeffer, *Science*, 2008) of sea level rise during this same period, with the differences in these projections attributed to how glacier ice melt is included in the calculation. Damage from sea level rise could be exacerbated by other aspects of climate change, which include an increase in the frequency and intensity of extreme weather events and increased frequency of large wildfires.

The term "shall" in these regulations is mandatory; the terms "may", "should", and "can" are advisory.

This document should be considered in its entirety.

Every five (5) years the Commission will consider revising the Plan.